

**N.J. ADMINISTRATIVE CODE**  
**TITLE 9A - HIGHER EDUCATION**  
**(expires 2/20/2006)**

**CHAPTER 3. INSTITUTIONAL CODES OF ETHICS**

**SUBCHAPTER 1. GENERAL STANDARDS**

**9A:3-1.1 Purpose**

Each public institution of higher education shall develop a code of ethics, in accordance with this chapter, governing the conduct of its officers and employees. The code of ethics shall establish guidelines and standards of ethical behavior in order to ensure the public's confidence in the conduct of business and operations of the institution.

**9A:3-1.2 Compliance with applicable statutes**

(a) Each institution's code of ethics shall comply with the requirements of all statutes applicable to the institution, including, but not limited to, the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-12 et seq., and the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq.

(b) When required by law, each institution shall have its code of ethics reviewed and approved by any statutorily created bodies designated to review and approve such codes of ethics.

(c) Any institution not governed by a particular ethics statute shall include in its code of ethics standards of conduct substantially equal to or exceeding those standards in the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-12 et seq., and the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq.

**9A:3-1.3 General standards**

(a) Each institution's code of ethics, at a minimum, shall include the following general standards. Each code shall:

1. Prohibit officers and employees from having any interest, financial or otherwise, direct or indirect, or engaging in any business or transaction or professional activity which is in substantial conflict with the proper discharge of their duties;
2. Prohibit officers and employees from using their official positions to secure unwarranted privileges or advantages for themselves or others;
3. Prohibit officers and employees from acting in their official capacities in any matter in which they have a direct or indirect personal financial interest that might reasonably be expected to impair their objectivity or independence of judgment;

4. Prohibit officers and employees from undertaking any employment or service, whether compensated or not, which might reasonably be expected to impair their objectivity and independence of judgment in the exercise of their official duties;

5. Prohibit officers and employees from accepting any gifts, favors, services, or other things of value under circumstances from which it might be reasonably inferred that such gifts, services, or other things of value were given or offered for the purpose of influencing them in the discharge of their official duties. Nevertheless, officers and employees, during the course of their official duties, may accept meals which are offered as part of a meeting or event so long as all attendees of such meeting or event are also provided such meals. In the event that a sponsor of a meeting has pending with the institution a matter on which the officers or employees must act in the exercise of their official duties, during the time said matter is pending, officers and employees shall not accept any meals from any such sponsor;

6. Prohibit officers and employees from knowingly acting in any way that might reasonably be expected to create, among the public having knowledge of their acts, an impression or suspicion that they may be engaged in conduct violative of their trust as public officers or employees;

7. Prohibit officers and employees from using or allowing to be used their public office or employment or any information not generally available to members of the public for the purpose of securing financial gain for themselves or others with whom they are associated;

8. Establish appropriate limitations under which officers and employees may contract with the institution and other public entities, in accordance with applicable law;

9. Establish appropriate limitations under which officers and employees may appear before the institution and other public entities on behalf of other parties, in accordance with applicable law; and

10. Establish appropriate standards for the review and approval of outside employment of officers and employees of the institution.

(b) Each institution, in establishing its code of ethics, shall conform the general standards set forth in this section to any specific requirements established by any applicable statutes governing the ethical conduct of employees and officers of that institution.

#### **9A:3-1.4 Contracts for the development of scientific or technological discoveries**

Each institution governed by the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-12 et seq., shall include in its code of ethics, procedures for contracts between the institution and officers or employees or firms or corporations in which said officers or employees hold an interest, for the development of scientific or technological discoveries or innovations in which the institution has a property right in accordance with N.J.S.A. 52:13D-19.1 through 19.3.